

Appln No. 09/717,822

Amdt date April 30, 2004

Reply to Office action of October 31, 2003

REMARKS/ARGUMENTS

Claims 1-33 are pending in the application. The Office action dated November 31, 2003, detailed objections to claims 1-33, and rejections to claims 1-33. The Applicant thanks the Examiner for his attention to this application.

The Office action states that the title of the invention is not descriptive. Applicant does not understand how the present title is not indicative of the invention to which the claims are directed. The Examiner is invited to call the undersigned to discuss the matter further.

Claims 1-33 were objected to because of the following informalities, "as per claim 1, the words "and" on lines 8 and "to" on line 16 should be deleted." Claim 1 has been amended to correct grammatical and/or typographical errors the Examiner noted. Further, claims 4, 5, 6, 13, 14, 19, 22, 23, 24, 26, 28, 32 and 33 have been amended to correct grammatical and/or typographical errors. Applicant notes that these amendments have no effect on the scope of the claims and merely correct grammatical errors.

Claims 1-33 were rejected under §103(a) for obviousness over the combination of White, III et al (US 6,493,661) in view of Atkin et al (US 6,490,547). In view of the remarks that follow, reconsideration and allowance of the claims are respectfully requested.

Regarding independent claim 1, Applicant submits that the combination of White in view of Atkins is not proper. There is no motivation or suggestion contained in either reference to combine the two references.

**Appln No. 09/717,822**

**Amdt date April 30, 2004**

**Reply to Office action of October 31, 2003**

The system disclosed in White "[t]he system is used to produce a software build 16 that allows a user to specify, at run-time, the language in which text messages are to be provided without reinstalling the software." (White col. 2, lines 22-26) Accordingly, the text messages used in White are not stored within the system but in a "free-standing text message system database" and the system is therefore language-independent. White achieves this intended purpose by compiling the application with "a language-independent string identifier. (White col. 2, line 53). The system database 13 is populated with the exact text strings to be displayed as follows, "[l]ater, for each identifier, text strings are provided by a text string adder 14 (preferably a member of a development team) in additional spoken languages using the identifier for the first key (or search field) and the text message language for each additional string as the second key (or search field), i.e. using an identifier of the language in which the text message is expressed as the second key or search field." (White col. 2, line 65 - col. 3 line 5).

"When the software is required to present a text message, typically as the result of an action by the user, the correct text message is extracted from the text message system database 13 based on an identifier known by the software build to correspond to the text message needed by the user, and based on the user having specified the language in which the text message is to be provided." (White col. 2, lines 35-43)

To summarize, White discloses a system that generates a compiled program that runs on a single computer. This computer uses string identifiers so that the compiled program can use

**Appln No. 09/717,822**

**Amdt date April 30, 2004**

**Reply to Office action of October 31, 2003**

different languages without having to recompile the program. The benefit of being able to change or update languages without recompiling the software is at the cost of some flexibility. The software can only use the predefined text strings identified by the string identifier at the time the software was compiled. As the Examiner recognized, While does not teach "a communication network connecting at least one of a plurality of network servers and at least one of [a] plurality of computers" and " to transmit the unique key value to the network server." However, there is nothing in White et al. that suggests or motivates one to use of such a communication network.

On the other hand, the data processing network of Atkin, discloses that the "JILResourceBundle 210 transmits to server 212 an HTTP message for each user interface text string requiring translation (i.e., all text strings within the 'default' ResourceBundle 208) containing the text string (as a Unicode string, for example) to be translated, an identification of the source language, and an identification of the target language." During language translation, the data processing network of Atkin transmits to the translation engine text to be translated, an identification of the source language, and an identification of the target language.

To summarize, Atkin et al. disclose a system in which entire text strings entered by users and language codes are sent over a network to a translation engine that translates the text strings in real time from the language of one language code to the language of another language code. The system of Atkin et al. operates in this manner because its purpose is to allow

**Appln No. 09/717,822**

**Amdt date April 30, 2004**

**Reply to Office action of October 31, 2003**

users to translate any text string, not just a limited set of predefined text strings.

There is no suggestion or motivation, though, to combine Atkin et al. with White et al. As indicated above, nothing in White et al. provides a suggestion or motivation to move the language library to a server over a network. Indeed, moving the language library to a server accessed over a network would restrict the compiled program of White et al from working unless the computer running the program is connected to the network. This would be a restriction on the operation of the system without any concomitant benefit to motivate or suggest making such a modification. On the other hand, there is no motivation to modify Atkin et al to use the string identifiers of White et al. The purpose of Atkin et al is to allow that translation of any text string entered by the user. Using predefined string identifiers would frustrate this purpose.

Even if the combination of the software system of White with the communication system of Atkin were obvious and proper, the combined system neither teaches nor suggests the system of claim 1. The office action notes that this "feature is well known in the art as evidenced by Atkin et al who teach in figure 1, a data processing network 102 includes one or more servers 104-106 and one or more clients 108-110 wherein JILResourcebound 210 transmits to the server and [sic] HTTP message for each user interface text string requiring translation an identification of the source code and identification of the target language at col. 4, lines 15-29.

Claim 1, on the other hand, which "transmits a unique key value to the network server." Neither White nor Atkin teaches or

**Appln No. 09/717,822**

**Amdt date April 30, 2004**

**Reply to Office action of October 31, 2003**

suggests the claimed invention. Accordingly, Application submits that the rejection has been traversed.

Regarding dependent claims 2-18, as Independent claim 1, from which claims 2-18 depend, is allowable, the rejection to claims 2-18 should be withdrawn and the claims allowed.

Regarding the rejection to claims 19-33, the office action states that "these claims are rejected under the same rationale." Applicant notes, however, that claims 19-33 are not the same scope as claims 1-8. While certain claims in claims 19-33 may be of similar scope to certain of the claims in claims 1-18, there is certainly not a one to one correspondence between claims 1-18 and claims 19-33. More particularly, claims 1-18 include one independent claim, claim 1. Claims 2-18 are all directly or indirectly dependent on claim 1. Claims 19-33, on the other hand, include eight independent claims, claims 19, 26 and 28-33. None of these independent claims are the same scope as independent claim 1. Accordingly, Applicant respectfully request an action on the merits of these claims apart from claim 1. If the Examiner contends that any particular claim in claims 19-33 is the same scope as any particular claim in claims 1-18, identification of the one to one correspondence between the two claims would be sufficient. However, a generalization that prior art applied to one independent claim should be applied the same way to eight other independent claims with varying elements does not afford Applicant with sufficient notice as to the grounds of the Examiner's rejection. Accordingly, it is believed that the issuance of a final Office action in response to this amendment would be improper.

**Appln No. 09/717,822**

**Amdt date April 30, 2004**

**Reply to Office action of October 31, 2003**

In view of the foregoing remarks, it is respectfully submitted that this application is now in condition for allowance. Accordingly, reconsideration of the application and allowance of claims 1-33 are respectfully requested.

Applicant also notes that the Office action did not include initialed PTO/SB/08A/B forms for the Information Disclosure Statements filed on August 23, 2001 and November 6, 2002. Attached herewith are copies of the Information Disclosure Statements, accompanying PTO/SB/08A/B forms along with copies of the acknowledged receipt postcard indicating that they were received from the Patent Office. In the next communication from the Office, Applicant ask that they be provided an initialed copy of the PTO/SB/08A/B forms indicating that the references cited in the Information Disclosure Statements were considered by the Examiner.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By



David J. Steele  
Reg. No. 47,317  
626/795-9900

DJS/kmg

Enclosures: Copy of Acknowledged Receipt Postcards  
Information Disclosure Statements  
PTO/SB/08A/B Forms

KMG IRV1073360.2-\*04/29/04 9:54 PM